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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,348	04/14/2000	Anand Rangarajan	P3919	8679

24739 7590 10/06/2003

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER

CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/550,348

Applicant(s)

RANGARAJAN ET AL.

Examiner

Joshua D Campbell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Application filed on 04/14/2000 and IDS filed on 07/11/2002.
2. Claims 1-18 are pending in this case. Claims 1, 9, and 15 are independent claims.

Claim Objections

3. Claims 16-18 are objected to because of the following informalities: The claims refer to claim 14 when they are obviously dependent on claim 15.

Appropriate correction is required.

The rejection based on art as shown below is based on claims 16-18 being dependent on claim 15 instead of 14 as interpreted by the office.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 15-16, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Daswani et al. (US Patent Application Publication Number 2002/0023108, US filing date of September 9, 1999).

5. **Regarding independent claim 1**, Daswani et al. discloses a method of monitoring the web sites that a user invokes and intercepts all data pertaining to any forms on the web sites (pages 1-2, paragraph 0012 of Daswani et al.). Once a form is intercepted a process is initiated that includes completing the form and communicating with the host site to submit the form (pages 1-2, paragraph 0012 of Daswani et al.). It is inherent that in order to initiate the process of form completion a communication (job order) such as an execution command must be made between functions. When a form is submitted it is also stored in a database so that it can be used in the future to gain access, as is the case for login forms (page 2, paragraph 0013 of Daswani et al.).

6. **Regarding dependent claims 2-4**, Daswani et al. disclose a method in which the forms are found on web pages found on the internet (pages 1-2, paragraphs 0002 and 0012 of Daswani et al.).

7. **Regarding dependent claim 5**, Daswani et al. discloses a method in which forms are filled out as a subscription process (pages 1-2, paragraph 0012 of Daswani et al.) It is inherent that a client registers with a company via subscription in order to obtain a service.

8. **Regarding dependent claim 6**, Daswani et al. discloses a method in which the entire method is carried out and controlled by one server (page 3, paragraph 0038 of Daswani et al.).

9. **Regarding independent claim 15**, the claim incorporates substantially similar subject matter as claim 1. Thus the claim is rejected along the same rationale as claim 1.

10. **Regarding dependent claim 16**, the claim incorporates substantially similar subject matter as claims 2-4. Thus, the claim is rejected along the same rationale as claims 2-4.

11. **Regarding dependent claim 18**, Duswani et al. discloses that when a form is submitted it is also stored in a database so that it can be used in the future to gain access, as is the case for login forms (page 2, paragraph 0013 of Daswani et al.).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 7, 9-12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daswani et al. (US Patent Application Publication Number 2002/0023108, US filing date of September 9, 1999) as applied to claims 1 and 3 above, and further in view of Jacobs et al. (US Patent Number 5,611,048, issued on March 11, 1997).

14. **Regarding dependent claim 7**, Daswani et al. does not disclose a method of distributing software functions over a plurality of server nodes. However, Jacobs et al. discloses that functions to be performed on a server can be divided across multiple servers (column 4, lines 9-17 of Jacobs et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Daswani et al. with the method of Jacobs et al. because it would have optimized the efficiency of the method of Daswani et al.

15. **Regarding independent claim 9**, Daswani et al. discloses a method of monitoring the web sites that a user invokes and intercepts all data pertaining to any forms on the web sites (pages 1-2, paragraph 0012 of Daswani et al.). Once a form is intercepted a process is initiated that includes completing the form and communicating with the host site to submit the form (pages 1-2, paragraph 0012 of Daswani et al.). It is inherent that in order to initiate the process of form completion a communication (job order) must be made between functions. When a form is submitted it is also stored in a database so that it can be used in the future to gain access, as is the case for login

forms (page 2, paragraph 0013 of Daswani et al.). Daswani et al. does not disclose a method of performing the functions using a server for each function.

However, Jacobs et al. discloses that functions to be performed on a server can be divided across multiple servers (column 4, lines 9-17 of Jacobs et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Daswani et al. with the method of Jacobs et al. because it would have optimized the efficiency of the method of Daswani et al.

16. **Regarding dependent claims 10-12**, the claims incorporate similar subject matter as claims 2-4. Thus, the claims are rejected along the same rationale as claims 2-4.

17. **Regarding dependent claim 14**, Daswani et al. does not disclose a method of distributing software functions over a plurality of server nodes, which are connected to each other via a dedicated data network. However, Jacobs et al. discloses that functions to be performed on a server can be divided across multiple servers that are connected to each other via a local area network (column 4, lines 9-17 of Jacobs et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Daswani et al. with the method of Jacobs et al. because it would have optimized the efficiency of the method of Daswani et al.

Claims 8, 13, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daswani et al. (US Patent Application Publication Number 2002/0023108, US filing date of September 9, 1999) as applied to claims 1, 3, 9, 10, and 15 above,

and further in view of Kraft et al. (US Patent Number 6,084,585, with US filing date of December 5, 1997).

18. **Regarding dependent claims 8, 13, and 17, Daswani et al. does not disclose a method in which the job order is written in XML. However, Kraft et al. discloses that executable instructions which can be thought of as job orders can be written in any programming language including XML (column 3, lines 35-40 of Kraft et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Daswani et al. with the method of Kraft et al. because the use of different programming languages was interchangeable.**

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Number 6,317,783, filed on October 27, 1999, by Freishtat et al.

US Patent Number 6,405,245, filed on October 27, 1999, by Burson et al.

US Patent Number 6,490,601, filed on January 15, 1999, by Markus et al.

US Patent Number 6,421,693, filed on October 15, 1998, by Nishiyama et al.

US Patent Number 6,499,042, filed on October 1, 1999, by Markus.

US Patent Number 6,199,079, filed on March 20, 1998, by Gupta et al.

US Patent Number 6,088,700, filed on August 6, 1999, by Larsen et al.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

jdc
September 23, 2003


SANJIV SHAH
PRIMARY EXAMINER